

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

\* \* \*

CHRISTOPHER A. JONES,

Plaintiff,

v.

HOWARD SKOLNIK, *et al.*,

Defendants.

Case No. 3:10-cv-00162-LRH-VPC

ORDER

Before this court is the Second Amended Report and Recommendation of Magistrate Judge Valerie Cooke, ECF No. 642<sup>1</sup>, which resolves several motions in the following manner: (1) recommends denying plaintiff’s motion for summary judgment, ECF No. 598; (2) denies plaintiff’s motion to exclude evidence or, alternatively, strike exhibits, ECF No. 617; (3) grants plaintiff’s motion to strike, ECF No. 628; and (4) recommends granting in part and denying in part defendants’ motion for summary judgment, ECF No. 608. Plaintiff and defendants both objected to the Second Amended Report and Recommendation. ECF Nos. 643, 645.

This action was referred to Judge Cooke under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

The court has conducted a *de novo* review in this case, has fully considered the pleadings and memoranda of the parties—including the parties’ objections to the Second Amended Report and Recommendation—and other relevant matters of record under 28 U.S.C. § 636(b)(1)(B) and

---

<sup>1</sup> The operative Second Amended Report and Recommendation supersedes the Report and Recommendation (ECF No. 635) and the Amended Report and Recommendation (ECF No. 639).

1 Local Rule IB 3-2. The court determines that Judge Cooke's Second Amended Report and  
2 Recommendation, ECF No. 642, shall be adopted and accepted.


3 IT IS THEREFORE ORDERED that plaintiff's objections (ECF No. 645) and  
4 defendants' objections (ECF No. 643) to the Magistrate Judge's Second Amended Report and  
5 Recommendation are **OVERRULED**.

6 IT IS FURTHER ORDERED that the Magistrate Judge's Second Amended Report and  
7 Recommendation (ECF No. 642) entered on June 14, 2018, is **ADOPTED AND ACCEPTED**.  
8 Plaintiff's motion for summary judgment (ECF No. 598) is **DENIED**. Plaintiff's motion to  
9 exclude evidence or, alternatively, to strike exhibits (ECF No. 617) is **DENIED**. Plaintiff's  
10 motion to strike (ECF No. 628) is **GRANTED**. Defendants' motion for summary judgment  
11 (ECF No. 608) is **GRANTED IN PART AND DENIED IN PART**. Plaintiff's due process  
12 claim against defendant Yaqub Mustafaa shall be the only claim to proceed. The remaining  
13 claims and defendants shall be dismissed.

14 IT IS FURTHER ORDERED that the parties shall file their proposed joint pretrial order  
15 pursuant to Local Rules 16-3 and 16-4 within forty-five (45) days of the entry of this order.

16  
17 IT IS SO ORDERED.

18 DATED this 30th day of July, 2018.

19   
20 LARRY R. HICKS  
21 UNITED STATES DISTRICT JUDGE  
22  
23  
24  
25  
26  
27  
28